

10 CSR 10-2.330 Control of Gasoline Reid Vapor Pressure

(1) Applicability. This rule shall apply throughout Clay, Platte and Jackson counties.

(2) Definitions. Definitions of certain terms used in this rule can be found in 10 CSR 10-6.020.

(3) General Provisions and Effective Dates of Compliance.

(A) No person shall sell, dispense, supply, offer for sale, offer for supply, transport or exchange in trade for use gasoline intended for final use in the applicable areas that exceeds the Reid Vapor Pressure (RVP) limit in subsection (3)(B).

(B) The RVP of gasoline subject to this rule shall be restricted starting in 2001 as follows:

RVP (psi)	Facility	Time Period
7.0 psi or less	All facilities	June 1 through September 15

(C) Gasoline blends having at least nine percent (9%) but not more than ten percent (10%) ethyl alcohol by volume of the blended mixture shall have an RVP limit of one (1) pound per square inch (psi) higher than the limit contained in subsection (3)(B).

(4) Gasoline Sampling Procedures. Gasoline sampling shall follow the procedures outlined in "Sampling Procedures for Fuel Volatility," 40 CFR part 80, Appendix D.

(5) Gasoline Testing Procedures for RVP and Determination of Compliance.

(A) Gasoline testing shall follow the procedures contained in "Tests for Determining Reid Vapor Pressure (RVP) of Gasoline and Gasoline-Oxygenate Blends," 40 CFR, part 80, Appendix E.

(B) To determine compliance when field analysis indicates the RVP is between seven and zero-tenths (7.0) psi and seven and three-tenths (7.3) psi for conventional gasoline or between eight and zero-tenths (8.0) psi and eight and three-tenths (8.3) psi for nine to ten percent (9%-10%) ethyl alcohol blends, Missouri Department of Natural Resources (MDNR) will conduct additional testing. Additional testing shall include independent analysis by three (3) separate laboratories of three (3) independent samples taken sequentially, in accordance with sections (4) and

(5) of this rule. If all of the measured RVP of the samples are above seven and zero-tenths (7.0) psi for conventional gasoline or above eight and zero-tenths (8.0) psi for nine to ten percent (9%-10%) ethyl alcohol blends, the department may take enforcement action.

(6) Record Keeping.

(A) All persons subject to this rule shall maintain records of any RVP testing and test results during the compliance period specified in section (3). These records shall be kept for at least two (2) years after the date of a completed RVP test. These records shall be made available immediately upon request for review or duplication by Department of Natural Resources personnel and city and county personnel certified under section 643.140, RSMo.

(B) Each bill of lading, invoice, loading ticket, delivery ticket, and other document that accompanies a shipment of gasoline (which includes gasoline blended with ethyl alcohol) shall contain a legible and conspicuous statement that the RVP of the gasoline does not exceed seven and zero-tenths (7.0) psi, in accordance with this rule for conventional gasoline, or that the RVP does not exceed eight and zero-tenths (8.0) psi for nine to ten percent (9%-10%) ethyl alcohol blends.

(C) Each bill of lading, invoice, loading ticket, delivery ticket, and other document which accompanies a shipment of gasoline containing ethyl alcohol shall contain a legible and conspicuous statement that the gasoline being shipped contains ethyl alcohol and that the percentage concentration of ethyl alcohol is between nine percent to ten percent (9%-10%), as required under subsection (3)(C) of this rule.

(D) All persons subject to this rule shall keep records of the bill of lading, invoice, loading ticket, delivery ticket, and other documents accompanying a shipment of gasoline during the compliance period specified in section (3). These records shall be kept for at least two (2) years after the date of delivery. These records shall be made available immediately upon request for review or duplication by Department of Natural Resources personnel and city and county personnel certified under section 643.140, RSMo.

(E) The director may require additional record keeping on a case-by-case basis. The director may require records be kept for additional periods of time for enforcement compliance.

(7) Violations and Penalties. Persons violating this rule shall be subject to enforcement action as authorized in sections 643.085 and 643.151, RSMo.

(8) Exemptions.

(A) Gasoline that exceeds the RVP limits will not violate this rule if the gasoline is separately stored, sealed, clearly labeled and not used until it is in compliance with this rule. The label shall state that the gasoline is prohibited by Missouri law from being sold, dispensed, supplied, offered for sale, offered for supply, transported or exchanged in trade until the specific date that the gasoline shall be in compliance with this rule.

(B) An individual consumer of gasoline who dispenses gasoline into his/her personal motor vehicle is exempt from this rule.

(C) Gasoline used only to fuel agricultural vehicles on property zoned for agricultural use is exempt from this rule.

(D) Owners and operators of facilities that only dispense gasoline into individual motor vehicles are not required to conduct the RVP testing specified in section (5).

(E) Federal specification reformulated gasoline (RFG) fully satisfies the requirements of section (3) of this rule.

EPA Rulemakings

PRM: 66 FR 57693 (11/16/2001)

APDB File: MO-188

[illegible]

PRM: None

State Final: 10 C.S.R. 10-2 (9/30/97)

[illegible]

PRM: 62 FR 13846 (3/24/97)

State Proposal:

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[illegible]

Difference Between the State and EPA-Approved Regulation

None.